



April 1, 2009

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## ENGROSSED HOUSE BILL No. 1224

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DIGEST OF HB 1224 (Updated March 30, 2009 12:55 pm - DI 14)

**Citations Affected:** IC 14-8; IC 14-25; noncode.

**Synopsis:** Water resources task force. Creates a ten member water resources task force (task force) to study and make recommendations concerning water availability as an economic and environmental necessity. Provides that appointments to the task force are made by the director of the department of natural resources (DNR), provides that the director of DNR is a nonvoting member, and requires DNR to staff the task force. Provides that a member must attend a minimum of 50% of the meetings of the task force or be replaced. Requires certain state agencies to designate a representative to advise the task force. Permits invitation of representatives of other state and federal agencies to advise the task force. Requires the task force to make an annual report of its activities to the water resources study committee and the legislative council. Requires the water resources study committee to study the regulation of residential irrigation system installations and ground water preservation and protection.

**Effective:** July 1, 2009.

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**Stemler, Cheatham, Welch, Bischoff**  
(SENATE SPONSORS — MISHLER, SIPES, KRUSE, YOUNG R, BREAUX)

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January 12, 2009, read first time and referred to Committee on Natural Resources.  
February 9, 2009, amended, reported — Do Pass.  
February 16, 2009, read second time, ordered engrossed. Engrossed.  
February 24, 2009, read third time, passed. Yeas 97, nays 0.

SENATE ACTION

March 2, 2009, read first time and referred to Committee on Natural Resources.  
March 31, 2009, amended, reported favorably — Do Pass.

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EH 1224—LS 6635/DI 71+



April 1, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1224

A BILL FOR AN ACT to amend the Indiana Code concerning  
natural and cultural resources.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 14-8-2-279.5, AS ADDED BY P.L.112-2006,  
2       SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3       JULY 1, 2009]: Sec. 279.5. "Task force", for purposes of:

4               (1) IC 14-25-14, has the meaning set forth in IC 14-25-14-1; and

5               (2) **IC 14-25-16, has the meaning set forth in IC 14-25-16-1.**

6       SECTION 2. IC 14-25-16 IS ADDED TO THE INDIANA CODE  
7       AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
8       JULY 1, 2009]:

9       **Chapter 16. Water Resources Task Force**

10       **Sec. 1. As used in this chapter, "task force" refers to the water**  
11       **resources task force established by section 2 of this chapter.**

12       **Sec. 2. (a) The water resources task force is established to study**  
13       **and make recommendations concerning the following issues with**  
14       **a focus on water availability as an economic and environmental**  
15       **necessity:**

16               (1) **Available quantities and sources of water.**

17               (2) **Future needs.**

EH 1224—LS 6635/DI 71+



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(3) Resource management.

(4) The determination of ownership rights, particularly in ground water.

(5) Drinking water delivery systems.

(6) Opportunities to work with neighboring states concerning shared drinking water resources.

(7) Other related issues.

(b) The task force shall provide an annual report of activities and recommendations to:

(1) the water resources study committee established by IC 2-5-25-1; and

(2) the legislative council, in an electronic format under IC 5-14-6.

Sec. 3. (a) The task force consists of ten (10) individuals, not more than five (5) of whom may be members of the same political party, appointed by the director for four (4) year terms and representing the following interests:

(1) Key water withdrawal users, including the following:

(A) Public water supply utilities.

(B) Agriculture.

(C) Steam electric generating utility companies.

(D) Industrial users.

(2) Academic experts in aquatic habitat and hydrology.

(3) Municipalities.

(4) Key stakeholders, including the following:

(A) Environmentalists.

(B) Consumer advocates.

(C) Economic development advocates.

(D) The public.

(b) The director or the director's designee shall serve as a nonvoting member on the task force. The director shall appoint a chairperson and a vice chairperson from the members of the task force. The director may not appoint an employee of the department as the chairperson or vice chairperson. The department shall provide staff support for the task force.

(c) A member of the task force must attend a minimum of fifty percent (50%) of the scheduled meetings. If a member does not attend a minimum of fifty percent (50%) of the meetings, the director shall replace the member.

Sec. 4. (a) Each of the following state agencies shall designate a representative to advise the task force:

(1) The department.

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(2) The department of environmental management.

(3) The department of homeland security.

(4) The Indiana state department of agriculture.

(5) The state department of health.

(b) In addition to the representatives set forth in subsection (a), the director or the director's designee may invite representatives of other state and federal agencies to advise the task force, as appropriate.

Sec. 5. The affirmative votes of a majority of the voting members of the task force are required for the task force to take action on a measure.

Sec. 6. At its first meeting, the task force shall establish a list of its activities and the time frame within which it will carry out the activities.

SECTION 3. [EFFECTIVE JULY 1, 2009] (a) As used in this SECTION, "task force" refers to the water resources task force established by IC 14-25-16-2, as added by this act.

(b) The director of the department of natural resources shall make appointments to the task force by October 1, 2009.

(c) Notwithstanding IC 14-25-16-3(a), as added by this act, the initial terms of the members of the task force are as follows:

(1) Fifty percent (50%) of the members serve a term of two

(2) years.

(2) Fifty percent (50%) of the members serve a term of four

(4) years.

The director of the department of natural resources shall designate whether a member is appointed to a term described in subdivision (1) or a term described in subdivision (2).

(d) The initial term of a member of the task force begins January 1, 2010.

(e) This SECTION expires July 1, 2014.

SECTION 4. [EFFECTIVE JULY 1, 2009] (a) For purposes of this SECTION, "committee" refers to the water resources study committee established by IC 2-5-25-1.

(b) The committee shall evaluate the following issues during the 2009 interim:

(1) The standardization of the regulation of residential irrigation system installations.

(2) The development of continuing education programs and uniform rules to preserve ground water by individuals engaged in:

(A) water well drilling;

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- 1           **(B) pump installation;**  
2           **(C) well abandonment operations; and**  
3           **(D) operating wells, pumps, and abandoned wells.**  
4           **(c) The committee shall submit a report of the findings of the**  
5           **committee to the legislative council not later than December 31,**  
6           **2009.**  
7           **(d) This SECTION expires December 31, 2009.**

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred House Bill 1224, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 30, after "director" insert "**or the director's designee**".

Page 2, line 41, after "director" insert "**or the director's designee**".

and when so amended that said bill do pass.

(Reference is to HB 1224 as introduced.)

BISCHOFF, Chair

Committee Vote: yeas 9, nays 0.

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## COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred House Bill No. 1224, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 9, delete "Drinking".

Page 1, line 9, after "Water" insert "**Resources**".

Page 1, line 11, delete "drinking".

Page 1, line 11, after "water" insert "**resources**".

Page 1, line 12, delete "drinking".

Page 1, line 12, after "water" insert "**resources**".

Page 1, line 14, delete "drinking".

Page 1, line 16, delete "drinking".

Page 2, line 30, after "serve" insert "**as a nonvoting member**".

Page 2, line 30, delete "and is".

Page 2, line 31, delete "chairperson of".

Page 2, line 31, after "force." insert "**The director shall appoint a chairperson and a vice chairperson from the members of the task force. The director may not appoint an employee of the department as the chairperson or vice chairperson.**".

Page 2, between lines 32 and 33, begin a new paragraph and insert:

**"(c) A member of the task force must attend a minimum of fifty percent (50%) of the scheduled meetings. If a member does not attend a minimum of fifty percent (50%) of the meetings, the director shall replace the member."**



Page 3, line 9, delete "drinking".

Page 3, line 9, after "water" insert "**resources**".

Page 3, line 12, delete "January 1, 2010." and insert "**October 1, 2009.**".

Page 3, after line 24, begin a new paragraph and insert:

**"SECTION 4. [EFFECTIVE JULY 1, 2009] (a) For purposes of this SECTION, "committee" refers to the water resources study committee established by IC 2-5-25-1.**

**(b) The committee shall evaluate the following issues during the 2009 interim:**

**(1) The standardization of the regulation of residential irrigation system installations.**

**(2) The development of continuing education programs and uniform rules to preserve ground water by individuals engaged in:**

**(A) water well drilling;**

**(B) pump installation;**

**(C) well abandonment operations; and**

**(D) operating wells, pumps, and abandoned wells.**

**(c) The committee shall submit a report of the findings of the committee to the legislative council not later than December 31, 2009.**

**(d) This SECTION expires December 31, 2009."**

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1224 as printed February 10, 2009.)

MISHLER, Chairperson

Committee Vote: Yeas 9, Nays 0.

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